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OFFICE OF PETITIONS

In re Application of	:	
Sheldon F. Goldberg et al.	:	
Application No. 08/759,895	:	
Patent No. 5,823,879	:	DECISION ON PETITION
Filed: December 3, 1996	:	PURSUANT TO
Issue Date: October 20, 1998	:	37 C.F.R. § 1.28(c)
Attorney Docket No. 3367-2	:	
Title: NETWORK GAMING SYSTEM	:	

This is a notice regarding your request for acceptance of a fee deficiency submission pursuant to 37 C.F.R. § 1.28, received on December 21, 2007. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 C.F.R. § 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 C.F.R. § 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this notice is intended to imply that an investigation was done.

Your fee deficiency submission pursuant to 37 C.F.R. § 1.28(c) is hereby accepted. The petition is **GRANTED** accordingly.

After the mailing of this decision, the application file will be sent to **Files Repository**.

This patent is no longer entitled to small entity status. Accordingly, all future fees paid in this patent must be paid at the large entity rate.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225¹.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

¹ Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 5,823,879
DATED : October 20, 1998
INVENTORS : GOLDBERG et al.

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

In the list of References Cited, please add U.S. Patent Nos. 5,141,234; 5,083,271; and 3,796,433.

In the list of References Cited, please delete "U.S. Patent No. 5129549" and insert -U.S. Patent No. 5159549 issued on October 27, 1992- therefor.

MAILING ADDRESS OF SENDER:

PATENT NO. 5,823,879

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